

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Gerardo Salas
A202 076 782
United States Citizen

YOB: 1996
PRINCIPAL

United States District Court
Southern District of Texas
FILED

Case Number:
M-15-0484-M

MAR 31 2015

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 29, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Diana Yaneth Morales-Espinoza, a national of the United Mexican States, and Gloria Marleny Vazquez-Gutierrez, a national of Honduras, along with two (2) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Los Ebanos, Texas to the point of arrest near Los Ebanos, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

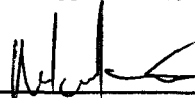
On March 29, 2015, at approximately 6:30 P.M., Border Patrol Agent Eric Salinas was assigned to line watch operations in Los Ebanos, Texas. Agent Salinas was patrolling close to the Los Ebanos Port of Entry, by foot, near the Rio Grande River and El Faro Road. Agent Salinas then observed a gray in color Kia Sportage and a gray in color Ford Mustang driving, in tandem, south towards the Rio Grande River. As the vehicles drove south Agent Salinas observed one driver and one passenger in the Kia Sportage and one driver in the Ford Mustang. Both vehicles continued south, towards the Rio Grande River, where Agent Salinas then lost sight of the vehicles.

A short time later, the same Kia Sportage and the Ford Mustang were observed traveling north on El Faro Rd. towards US 83. As the vehicles traveled north they passed Agent Salinas's position, where he observed three (3) additional subjects in the Ford Mustang. At approximately the same time, the Rio Grande City Border Patrol station received information from a concerned citizen and then proceeded to relay information to agents in the Los Ebanos, Texas area.
SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

approved by
AUSA Kutz R

☒ Yes ☐ No


Signature of Complainant

Michael Chandler Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

March 31, 2015
Date

at McAllen, Texas
City and State

Dorina Ramos
Name and Title of Judicial Officer

U. S. Magistrate Judge


Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

Rio Grande City Station advised that several subjects were observed running north from the Rio Grande River and that they had entered a gray in color Ford Mustang and a gray Kia Sportage.

Agent Salinas notified responding agents to his current location at El Faro Rd. and that he had observed a small gray SUV and a gray Ford Mustang picked up several people from the wooded area near the Los Ebanos, Texas Port of Entry.

Department of Public Safety contacted and requested to assist agents with locating both vehicles that had seen driving north towards US 83. At that time, Agent Salinas ran back to his vehicle and began to drive north in an attempt to locate the vehicles. The two vehicles were then observed by Agent Salinas traveling north of US 83 on El Faro Rd. While traveling north to intercept the two vehicles Agent Salinas observed a responding DPS Trooper pull up behind him in his marked unit to assist him.

As the two marked units drove north on El Faro Rd., Agent Salinas proceeded to conduct a vehicle stop on the Mustang which was behind the Kia Sportage. At this point, the Mustang turned west on 2nd St. and Agent Salinas used his hand to signal the DPS Trooper to conduct a vehicle stop on that vehicle. Agent Salinas then continued north and proceeded to conduct a vehicle stop on the Kia Sportage. Upon further inspection of the vehicle, only a driver and a passenger were observed, with no other occupants present. Agent Salinas and DPS Troopers ran checks on both subject and were subsequently released after no derogatory information was found.

Agent Salinas then proceeded to drive to the last location of the Ford Mustang. When he arrived on scene and he made contact with Agent J. Ruiz, who stated that driver of the gray Ford Mustang had three (3) illegal aliens inside the cab of the Mustang and one (1) illegal alien inside the Mustang's trunk.

All five subjects were questioned as to their citizenship and current immigration status. The driver, SALAS, Gerardo, was identified as a citizen of the United States. The four passengers were identified as two citizens of the United Mexican States and two citizens of Honduras, all admitted to being in the United States without documents to reside or remain in the United States legally. The driver and four passengers of the gray Ford Mustang were placed under arrest and subsequently transported to the Rio Grande City Border Patrol station for processing.

Principal Statement:

Gerardo Salas was read his rights. He stated he was willing to provide a statement without the presence of an attorney.

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Gerardo stated that he was contacted by an individual called "Chema" and asked if he wanted a job. According to Gerardo, he met with Chema at a house in Penitas, Texas, where he was told that the job was the smuggling of illegal aliens. Gerardo was informed that he was going to be going to be paid approximately \$150 to \$200 USD per person that he smuggled and was additionally implicit in the fact that this activity was illegal. After the job was explained Chema and an unknown driver entered a blue Kia SUV, and Gerardo entered a 2001 Ford Mustang. Gerardo followed Chema to an unknown location where he proceeded to pick up four (4) illegal aliens.

Once the illegal aliens entered the vehicle Gerardo followed Chema north, where he was subsequently stopped and arrested by law enforcement officials.

Note:

Gerardo Salas has been previously arrested for illegal alien smuggling out of Laredo, Texas, and is currently out on bond for that crime.

Mat-Wit Statement # 1

Diana Yaneth Morales-Espinoza was read her rights, stated that she understood her rights and waived her right to an attorney.

Diana Yaneth Morales-Espinoza stated that she made arrangements with a smuggler nicknamed "El Picon" in Zacatecas, Mexico and was going to pay a total of \$5,600 to be smuggled to Houston, Texas. Morales-Espinoza stated that on March 29, 2015 she along with 4 other alien crossed into the United States illegally by crossing the Rio Grande River on a raft. The group then walked north for around 15 minutes and arrived near a road. At that point the guides pointed to a sand/brownish colored Mustang and told them to get into it. Morales-Espinoza states that the man in the mustang motioned with his hand for them to get in. Morales-Espinoza states that the driver then told the first person to sit in the trunk and for one of the females to sit in the front. Morales-Espinoza sat in the rear driver side of the car. Once inside of the car the driver told them to lay down. The driver was described as being medium skinned with short hair. While traveling north the driver received a call

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CONTINUATION:

and that she overheard someone tell him that the police was behind them. Morales-Espinoza states that they then told him to take a left on the next street and they then told him that they weren't following him and they hung up. At this point the vehicle stopped at a house and she saw the driver get off and start talking to police. Morales-Espinoza was then able to identify the driver (Gerardo Salas) by circling and initialing photo #5 of a six photo lineup.

Mat-Wit Statement #2

Gloria Marleny Vazquez-Gutierrez was read her rights, stated that she understood her rights and waived her right to an attorney.

Vazquez-Gutierrez stated that she made arrangements with an alien smuggler in Honduras. She paid \$3500 USD in Honduras and was expected to pay an additional \$3500 USD upon arrival in Houston, Texas. Subject stated she crossed today, March 29, 2015, at around 5:00 PM with 6 other people including the foot guide. Subject stated they walked for around fifteen to twenty minutes. Subject stated that once they arrived at the side of a paved road they observed a blue car and were then instructed them to run and get in the car. Vazquez-Gutierrez stated that once at the car the driver told them to get in. Once at the vehicle the driver gave instructions to the subjects; one person in the trunk, one in the front seat, and two in the back seat. The car then traveled for approximately five (5) to ten (10) minutes. Vazquez-Gutierrez stated that the driver additionally instructed the passengers to get down. The driver then turned into the drive way of a house and told the passengers to stay in the car. Vazquez-Gutierrez stated that the driver of the car as dark skinned short chubby with short hair. Vazquez-Gutierrez was able to positively identify the driver (Gerardo Salas) by circling and initialing photo #5 of a six photo lineup.